



Agricultural Land Commission
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June 13, 2006

Reply to the attention of Brandy Ridout
ALC File #H-36386

McMurdo Consulting
c/o Tom Coughlin
PO Box 2441
Golden, BC V0A 1H0

Dear Mr. Coughlin:

Re: Application to subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #261/2006 outlining the Commission's decision as it relates to the above noted application. As agent it is your responsibility to notify your clients accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Columbia Shuswap Regional District - LC2325-A

BR/lv/Encl.: Minutes
36386d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 25, 2006 in Kelowna, BC.

PRESENT:	Sue Irvine	Chair, Okanagan Panel
	Sharon McCoubrey	Commissioner
	Brandy Ridout	Staff
	Martin Collins	Staff

ABSENT:	Sid Sidhu	Commissioner
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For Consideration

Application #	H – 36386
Applicant(s)	Verena & Nelli Tobler
Proposal	To subdivide a mixture of fee-simple and strata lots from the subject property to develop into recreational cottage lots. The proposal is for 11 lots within a range of 0.85 ha to 2.5 ha. The 42 ha remainder would contain the hayfields.
Legal	PID: 016-530-870 North East ¼, Section 30, Township 25, Range 20, W5M, Kootenay District, Except Plans NEP64113 and NEP72158
Location	2311 and 2379 Campbell Road, south of Golden

Site Inspection

A site inspection was conducted on May 25, 2006. Those in attendance were:

- Commissioners: Sue Irvine and Sharon McCoubrey
- Staff: Brandy Ridout and Martin Collins
- Applicants: Verena & Nelli Tobler
- Agent: Tom Coughlin

Mr. Coughlin confirmed that he had received the staff report dated January 27, 2006 and did not identify any errors.

Discussion

The Commission noted that the parcel is 64 ha in size and that a portion of the 34 ha ALR area had been developed as a hayfield. The Commission noted the parcel's large size and the agricultural capability of the ALR area. In addition, it was noted that the proposed property sizes are not in keeping with the lot sizes in the area.

The Commission believed that the ALR portion of the property had agricultural capability and that residential development should be focussed on the non-ALR component of the parcel. It believed that subdivision into small lots would reduce the possibility to pursue agriculture on the new lots.

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IT WAS

MOVED BY: Commissioner McCoubrey

SECONDED BY: Commissioner Irvine

THAT the application be refused on the grounds that the land has agricultural capability and subdivision into smaller lots would reduce the possibility to pursue agriculture on the new lots.

CARRIED

RESOLUTION #261/2006



Staff Report
Application # H – 36386
Applicant: Verena & Nelli Tobler
Agent: McMurdo Consulting (Tom Coughlin)
Location: McMurdo Stn, south of Golden

DATE RECEIVED: November 25, 2006

DATE PREPARED: January 27, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To subdivide a mixture of fee-simple and strata lots from the subject property to develop into recreational cottage lots. The proposal is for 11 lots within a range of 0.85 ha to 2.5 ha. The 42 ha remainder would contain the hayfields.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Much of the area surrounding this property was removed from the ALR during the course of a large block application in 1982. It is likely that this property was retained in the ALR because it was a developed farm and had comparatively good agricultural capability.

The topography of the area proposed for development is described in the application as consisting of ravines and knolls with rock outcroppings. In addition, parts of the property are limited due to steep slopes.

Local Government:

Columbia Shuswap Regional District

Legal Description of Property:

PID: 016-530-870
North East ¼, Section 30, Township 25, Range 20, W5M, Kootenay District, Except Plans NEP64113 and NEP72158

Purchase Date:

November 2002

BACKGROUND INFORMATION (continued):

Location of Property:

2311 and 2379 Campbell Road, south of Golden and east of Highway at McMurdo station

Size of Property:

60.6 ha (approximately 32 ha is in the ALR)

Present use of the Property:

Three dwellings, barns, a large hayfield and a forested remainder.

Surrounding Land Uses:

- WEST:** Rural residential and hobby farms out of ALR
- SOUTH:** Large hayfields in ALR, Campbell road, out of ALR
- EAST:** Rural residential and Crown forest land outside ALR
- NORTH:** Crown forest land out of ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 82N/2
The majority of the property is identified as having secondary ratings of class 4 (the ALR area) with stoniness and topography being the limiting factors.

Official Community Plan and Designation:

No OCP or zoning bylaws exist in this area

PREVIOUS APPLICATIONS:

No previous applications

RELEVANT APPLICATIONS:

Application #	01/10-82-15506
Applicant	Agricultural Land Commission / Regional District
Decision date	1982
Proposal	Fine tuning review of ALR boundaries in the Columbia River Valley south of Golden
Decision	Exclusion and inclusion of selected areas. A poorer capability 8 ha section was excluded in the southwest corner of the subject property as a result of the application.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District staff and Board recommend the application be approved, and suggest the Commission consider exclusion of the property from the ALR.

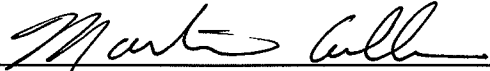
STAFF COMMENTS:

Staff suggests the following options for the Commission's consideration:

- Allow the application as presented following an onsite inspection to determine if the proposed subdivision area has little potential for agricultural use in conjunction with the existing hayfields.
- Refuse the application on the grounds that the owners have areas of their land outside the ALR which could be developed for lots (i.e. south of Campbell Road) and the area under application could be used for grazing and shelter for cattle in conjunction with the balance of the farm. As well, the land has class 4 capability which is relatively good for this area.

If the Commission is inclined to allow the subdivision, consideration should be given to the requirement for the subdivided area to be removed from the ALR, as the small lots will have limited agricultural utility.

END OF REPORT



Signature



Date